

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

<b>EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. WDQ-02-CV-648</b>
	)	
<b>LA WEIGHT LOSS CENTERS, INC.</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**JOINT MOTION TO EXTEND PRETRIAL CONFERENCE  
FOR PURPOSES OF SETTLEMENT NEGOTIATIONS**

Plaintiff Equal Employment Opportunity Commission and Defendant LA Weight Loss Centers, Inc. ("LAWL"), by their undersigned counsel, respectfully jointly request that the Court move back the pretrial conference currently scheduled for October 5, 2007 by two months in order to permit the parties to conduct earnest settlement negotiations. In support of the Motion, undersigned counsel relate the following events and circumstances that occurred prior to the Court's recent summary judgment ruling and order scheduling a pre-trial conference:

1. On July 18, 2007, Shawe Rosenthal, who has served as local counsel for the Defendant, was tasked by its LAWL's General Counsel to seek to renew settlement negotiations with the EEOC. Shawe Rosenthal's selection for that assignment was consistent with its previously having played an instrumental role in the resolution of the claims of Intervener, Kathy Koch, under the auspices of

the Court's mediation program and with the assistance of Magistrate Judge Paul Grimm.

2. Judge Grimm had also tried to facilitate a settlement of the EEOC's claims against LAWL (negotiations in which Shawe Rosenthal was not involved) but these prior efforts were unsuccessful.
3. Subsequent to being contacted by LAWL's General Counsel, the undersigned counsel from Shawe Rosenthal met with Judge Grimm to explain LAWL's interest in renewed settlement discussions and to determine if he would be able to assist the parties in their negotiations should that become necessary. Judge Grimm responded that he was willing to facilitate the settlement efforts.
4. The EEOC was informed of the foregoing developments, and it also expressed an interest in exploring settlement of the claims against LAWL.<sup>1</sup> Accordingly, undersigned and EEOC Counsel, Ron Phillips and Tracy Spicer, have scheduled an initial settlement meeting for September 19, 2007.
5. While the parties intend to make an earnest and serious effort to settle the case, a settlement is very unlikely to be achieved in one day. Given the multiple issues involved in this litigation, it is likely that multiple sessions may be necessary. It may also require the assistance of Magistrate Judge Grimm. In order to determine if a settlement can be reached, we believe that a brief two-month postponement of the pre-trial conference is both reasonable and appropriate.

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<sup>1</sup> The EEOC was obviously not a party to the discussions leading up to its being requested to state its position regarding the resumption of settlement discussions, and the representations made herein about those prior events are made exclusively by counsel for LAWL on behalf of LAWL.

Accordingly, the EEOC and LAWL respectfully request that the date for the pretrial conference be reset for a date that is on or after December 3, 2007.

Dated September 7, 2007

Respectfully submitted,

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/s/

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